



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: Box ISSUE FEE  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

12M2/0726

BANNER, BIRCH, MCKIE & BECKETT  
1001 G STREET, N.W.  
WASHINGTON, D.C. 20001-4597

**NOTICE OF ALLOWANCE  
AND ISSUE FEE DUE**

- ☐ Note attached communication from the Examiner  
☐ This notice is issued in view of applicant's communication filed \_\_\_\_\_

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
07/944,739	09/14/92	022	JORDAN, K 1205	07/26/94
First Named Applicant KYLE, DAVID J.				

TITLE OF INVENTION MICROBIAL OIL MIXTURES AND USES THEREOF

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1 1496-124A	514-547.000	C92	UTILITY	YES	\$585.00	10/26/94

**THE FEE DUE IS THE AMOUNT IN EFFECT AT THIS TIME. IF THE AMOUNT OF THE ISSUE FEE INCREASES PRIOR TO PAYMENT, APPLICANT WILL BE NOTIFIED OF THE BALANCE OF ISSUE FEE DUE.**

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.**

**PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY Status shown above.  
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or
  - B. If the Status is the same, pay the FEE DUE shown above.
- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.
- III. All communications regarding this application must give series code (or filing date) and serial number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to contrary.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

**IMPORTANT REMINDER: Patents Issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
---------------	-------------	-----------------------	---------------------

07/944,739 09/14/92 KYLE

D 1496-124A

EXAMINER  
JORDAN, K

12M2/0726

BANNER, BIRCH, MCKIE & BECKETT  
1001 G STREET, N.W.  
WASHINGTON, D.C. 20001-4597

ART UNIT PAPER NUMBER

1205

DATE MAILED:

07/26/94  
34/14  
JRP  
7/24/94

#### NOTICE OF ALLOWABILITY

##### PART I.

- ☒ This communication is responsive to Paper Nos. 31-34
- ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- ☒ The allowed claims are 67-71, 73-86 and 92-94 renumbered 1-22 respectively
- ☐ The drawings filed on \_\_\_\_\_ are acceptable.
- ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has [-] been received. [-] not been received. [-] been filed in parent application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.
- ☒ Note the attached Examiner's Amendment.
- ☒ Note the attached Examiner Interview Summary Record, PTOL-413.
- ☐ Note the attached Examiner's Statement of Reasons for Allowance.
- ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

##### PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
  - ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. \_\_\_\_\_. CORRECTION IS REQUIRED.
  - ☐ The proposed drawing correction filed on \_\_\_\_\_ has been approved by the examiner. CORRECTION IS REQUIRED.
  - ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
  - ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

##### Attachments:

- ☒ Examiner's Amendment
- ☒ Examiner Interview Summary Record, PTOL-413
- ☐ Reasons for Allowance
- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Citation, PTO-1449

- ☐ Notice of Informal Application, PTO-152
- ☐ Notice re Patent Drawings, PTO-948
- ☐ Listing of Bonded Draftsmen
- ☐ Other

RAYMOND J. HENLEY III  
PATENT EXAMINER  
GROUP 120 - ART UNIT 125

**EXAMINER'S AMENDMENT**

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in an interview with Laurence Posorske on July 19 and 25, 1994.

The application has been amended as follows:

In the claims:

1) In claim 76, delete the word "comprises" in line 2 and insert therefor the phrase --consists essentially of--.

2) In claim 85, delete the word "comprises" in line 2 and insert therefor the phrase --consists essentially of--.

3) In claim 86, in line 2 insert the phrase --microbial triglyceride-- after the words "wherein the".

4) In claim 94, in line 2 delete the word "oils" and insert therefor --triglycerides--, in both lines 3 and 4 delete the word "oil" and insert therefor --triglyceride--.

It is noted that during the interview on July 19, 1994 the examiner omitted checking the second box on the bottom of the Examiner Interview Summary Record due to an oversight. The second box should have been checked. Thus no further response to the requirements of the last Office Action is required by the applicant.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Jordan whose telephone number is (703) 308-4611.

JORDAN *KJ*  
July 25, 1994

*Raymond J. Henley III*  
RAYMOND J. HENLEY III  
PATENT EXAMINER  
GROUP 120 - ART UNIT 125